



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

SB3176

Introduced 2/11/2014, by Sen. Donne E. Trotter

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Manufactured Housing and Mobile Home Safety Act. Changes the title of the Act to the Illinois Modular Dwelling and Mobile Structure Safety Act. Changes the definition of "manufactured home" and "mobile home". Provides that nothing in the Act prohibits a city, town, village, township, or county from adopting construction standards for mobile structures or modular dwellings under local ordinances, provided such ordinances incorporate the rules adopted under the Act and are approved by the Department of Public Health. Provides that the Department may impose an administrative penalty against any person who violates the Act or any rule adopted under the Act, or who violates any determination or order of the Department under the Act. Provides that the Department shall establish violations and penalties by rule, with each day's violation constituting a separate offense. Provides that the Department may inspect manufactured homes, require correction of violations, and perform other duties as stated in the federal Manufactured Home Procedural and Enforcement Regulations and the federal Manufactured Housing Construction and Safety Standards of 1974. Provides for civil and criminal penalties for violations of specified federal regulations. Provides that the Director of the Department of Public Health, after notice and opportunity for hearing to an applicant or seal holder, may deny, suspend, or revoke a seal, or assess civil penalties in conformance with the provisions of the Act, in any case in which he or she finds that there has been a substantial failure to comply with the provisions of the Act or the standards, rules, and regulations under the Act. Provides that all fees and penalties collected under the Act shall be deposited into the Facility Licensing Fund. Repeals a provision concerning the advisory council on mobile homes and manufactured housing. Effective immediately.

LRB098 20147 MGM 55463 b

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Manufactured Housing and Mobile  
5 Home Safety Act is amended by changing Sections 1, 2, 3, 4, 5,  
6 6, 7, 9, 10, and 11 and by adding Sections 16 and 17 as follows:

7 (430 ILCS 115/1) (from Ch. 67 1/2, par. 501)

8 Sec. 1. This Act may be cited as the Illinois Modular  
9 Dwelling ~~Manufactured Housing~~ and Mobile Structure ~~Home~~ Safety  
10 Act.

11 (Source: P.A. 86-1475.)

12 (430 ILCS 115/2) (from Ch. 67 1/2, par. 502)

13 Sec. 2. Unless clearly indicated otherwise by the context,  
14 the following words and terms when used in this Act, for the  
15 purpose of this Act, shall have the following meanings:

16 (a) "Manufactured home" or "mobile home" means a structure,  
17 transportable in one or more sections, which, in the traveling  
18 mode, is 8 body feet or more in width or 40 body feet or more in  
19 length, or which, when erected on site, is 320 or more square  
20 feet, and which is built on a permanent chassis and designed to  
21 be used as a dwelling with or without a permanent foundation  
22 when connected to the required utilities, and includes the

1 plumbing, heating, air-conditioning, and electrical systems  
2 contained in the structure. Calculations used to determine the  
3 number of square feet in a structure shall include the total of  
4 square feet for each transportable section comprising the  
5 completed structure and will be based on the structure's  
6 exterior dimensions measured at the largest horizontal  
7 projections when erected on-site. These dimensions include all  
8 expandable rooms, cabinets, and other projections containing  
9 interior space, but do not include bay windows. "Manufactured  
10 home" or "mobile home" does not include campers and  
11 recreational vehicles. "Mobile home" and "manufactured home"  
12 do not include modular dwellings or mobile structures. ~~means a~~  
13 ~~factory-assembled, completely integrated structure designed~~  
14 ~~for permanent habitation, with a permanent chassis, and so~~  
15 ~~constructed as to permit its transport, on wheels temporarily~~  
16 ~~or permanently attached to its frame, and is a movable or~~  
17 ~~portable unit that is (i) 8 body feet or more in width, (ii) 40~~  
18 ~~body feet or more in length, and (iii) 320 or more square feet,~~  
19 ~~constructed to be towed on its own chassis (comprised of frame~~  
20 ~~and wheels) from the place of its construction to the location,~~  
21 ~~or subsequent locations, at which it is installed and set up~~  
22 ~~according to the manufacturer's instructions and connected to~~  
23 ~~utilities for year-round occupancy for use as a permanent~~  
24 ~~habitation, and designed and situated so as to permit its~~  
25 ~~occupancy as a dwelling place for one or more persons. The term~~  
26 ~~shall include units containing parts that may be folded,~~

1 ~~collapsed, or telescoped when being towed and that may be~~  
2 ~~expected to provide additional cubic capacity, and that are~~  
3 ~~designed to be joined into one integral unit capable of being~~  
4 ~~separated again into the components for repeated towing. The~~  
5 ~~term excludes campers and recreational vehicles. The terms~~  
6 ~~"mobile home" and "manufactured home" do not include modular~~  
7 ~~homes or manufactured housing units.~~

8 (b) "Person" means any individual, group of individuals,  
9 association, trust, partnership, limited liability company,  
10 corporation, person doing business under an assumed name,  
11 county, municipality, the State of Illinois, or any political  
12 subdivision or department thereof, or any other entity ~~a~~  
13 ~~person, partnership, corporation, or other legal entity.~~

14 (c) "Manufacturer" means any person who manufactures  
15 mobile structures ~~homes~~ or modular dwellings ~~manufactured~~  
16 ~~housing~~ at the place or places, either on or away from the  
17 building site, at which machinery, equipment, and other capital  
18 goods are assembled and operated for the purpose of making,  
19 fabricating, forming, or assembling mobile structures ~~homes~~ or  
20 modular dwellings ~~manufactured housing.~~

21 (d) "Department" means the Department of Public Health.

22 (e) "Director" means the Director of the Department of  
23 Public Health.

24 (f) (Blank). ~~"Dealer" means any person, other than a~~  
25 ~~manufacturer, as defined in this Act, who sells 3 or more~~  
26 ~~mobile homes or manufactured housing units in any consecutive~~

1 ~~12-month period.~~

2 (g) "Codes" means the safety codes for modular dwellings  
3 ~~manufactured housing~~ and mobile structures adopted homes  
4 ~~promulgated~~ by the Department and is synonymous with "rules".

5 The Codes shall contain the standards and requirements for  
6 manufactured housing and mobile homes so that adequate  
7 performance for the intended use is made the test of  
8 acceptability. The Code of Standards shall permit the use of  
9 new and used technology, techniques, methods and materials, for  
10 both modular dwellings ~~manufactured housing~~ and mobile  
11 structures homes, consistent with recognized and accepted  
12 codes and standards developed by the International Code Council  
13 (ICC) or by the organizations that formed the ICC in 1994+  
14 ~~Building Officials and Code Administrators, the International~~  
15 ~~Conference of Building Officials, the Southern Building Codes~~  
16 ~~Congress International~~, the National Fire Protection  
17 Association, the International Association of Plumbing and  
18 Mechanical Officials, the American National Standards  
19 Institute, the Illinois State Plumbing Code, and the United  
20 States Department of Housing and Urban Development,  
21 hereinafter referred to as "HUD", applying to manufactured  
22 housing and mobile homes installed and set up according to the  
23 manufacturer's instructions. A copy of said safety codes,  
24 including said revisions thereof is on file with the  
25 Department.

26 (h) "Seal" means a device or insignia issued by the

1 Department to be displayed on the exterior of the mobile  
2 structure ~~home~~ or the interior of a modular dwelling  
3 ~~manufactured housing unit or modular home~~ to evidence  
4 compliance with the applicable safety code.

5 (i) "Modular dwelling or manufactured housing unit ~~home~~"  
6 means a building assembly or system of building sub-assemblies,  
7 designed for habitation as a dwelling for one or more persons,  
8 including the necessary electrical, plumbing, heating,  
9 ventilating and other service systems, which is of closed ~~or~~  
10 ~~open~~ construction and which is made or assembled by a  
11 manufacturer, on or off the building site, for installation, or  
12 assembly and installation, on the building site, installed and  
13 set up according to the manufacturer's instructions on an  
14 approved foundation and support system. The construction of  
15 modular dwelling units located in Illinois is regulated by the  
16 Illinois Department of Public Health.

17 (j) "Closed construction" is any building, component,  
18 assembly or system manufactured in such a manner that all  
19 portions cannot readily be inspected at the installation site  
20 without disassembly, damage to, or destruction thereof.

21 (k) (Blank). ~~"Open construction" is any building,~~  
22 ~~component, assembly or system manufactured in such a manner~~  
23 ~~that all portions can be readily inspected at the installation~~  
24 ~~site without disassembly, damage to, or destruction thereof.~~

25 (l) "Approved foundation and support system" means, for a  
26 ~~modular home or~~ modular dwelling unit, a closed perimeter

1 formation consisting of materials such as concrete, mortared  
2 concrete block, ~~or~~ mortared brick, steel, or treated lumber  
3 extending into the ground below the frost line which shall  
4 include, but not necessarily be limited to, cellars, basements,  
5 or crawl spaces, and does include the use of piers supporting  
6 the marriage wall of the home that extend below the frost line.

7 (m) "Code compliance certificate" means the certificate  
8 provided by the manufacturer to the Department that warrants  
9 that the modular dwelling ~~manufactured housing~~ unit or mobile  
10 structure ~~home~~ complies with the applicable code.

11 (n) "Mobile structure" means a movable or portable unit,  
12 which, when assembled, is 8 feet or more in width and is 32  
13 body feet in length, constructed to be towed on its own chassis  
14 (comprised of frame and wheels), and designed for occupancy  
15 with or without a permanent foundation. "Mobile structure"  
16 includes units designed to be used for multi-family  
17 residential, commercial, educational, or industrial purposes,  
18 excluding, however, recreational vehicles and single family  
19 residences. "Manufactured housing", "manufactured housing  
20 unit", "modular dwelling", and "modular home" shall not be  
21 confused with "manufactured home" or "mobile home".

22 (Source: P.A. 96-1477, eff. 1-1-11.)

23 (430 ILCS 115/3) (from Ch. 67 1/2, par. 503)

24 Sec. 3. ~~(a)~~ It is unlawful for any person to manufacture,  
25 rent, sell, or offer for sale for location within this State

1 any mobile home manufactured after July 1, 1974, or any  
2 manufactured housing unit manufactured after July 1, 1976, or  
3 any modular dwelling or mobile structure after the effective  
4 date of this amendatory Act of the 98th General Assembly,  
5 unless such mobile home, ~~or~~ manufactured housing unit, modular  
6 dwelling, or mobile structure complies with this Act and all  
7 rules adopted by the Department under this Act ~~the applicable~~  
8 ~~safety code and any revision thereof that may be adopted~~  
9 ~~hereafter, by the Department as hereinafter provided.~~

10 ~~(b) No person shall manufacture for shipment into this~~  
11 ~~State any mobile home after July 1, 1974, or any manufactured~~  
12 ~~housing unit after July 1, 1976, which does not comply with the~~  
13 ~~applicable safety code.~~

14 (Source: P.A. 79-731.)

15 (430 ILCS 115/4) (from Ch. 67 1/2, par. 504)

16 Sec. 4.

17 (a) No person may rent, sell, or offer for sale to anyone  
18 within this State any mobile home manufactured after July 1,  
19 1974, or any manufactured housing unit manufactured after July  
20 1, 1976, or any modular dwelling or mobile structure after the  
21 effective date of this amendatory Act of the 98th General  
22 Assembly, unless it bears a seal issued by the Department and a  
23 certification by the manufacturer ~~or dealer,~~ that the mobile  
24 home, mobile structure, ~~or~~ manufactured housing unit, or  
25 modular dwelling complies with the applicable safety code.

1        (b) Nothing in this Act prohibits a city, town, village,  
2 township, or county from adopting construction standards for  
3 mobile structures or modular dwellings under local ordinances,  
4 provided such ordinances incorporate the rules adopted under  
5 this Act and are approved by the Department. This Section is a  
6 limitation under subsection (i) of Section 6 of Article VII of  
7 the Illinois Constitution on the concurrent exercise by home  
8 rule units of powers and functions exercised by the State. The  
9 ~~provisions of this Act shall not apply to any municipality~~  
10 ~~which has adopted a mobile home or manufactured housing safety~~  
11 ~~code, the provisions of which are equal to the codes~~  
12 ~~promulgated by the Department. Any such code must be filed with~~  
13 ~~the Department within 10 days after its adoption. Any unit of~~  
14 ~~local government ~~municipality~~ is authorized to adopt by~~  
15 ~~reference the safety codes as promulgated by the Department~~  
16 ~~without setting forth the provisions in full, provided that at~~  
17 ~~least (3) copies of such codes which are incorporated or~~  
18 ~~adopted by reference are filed in the office of the municipal~~  
19 ~~clerk at least (15) days prior to the adoption of the ordinance~~  
20 ~~which incorporates such codes by reference and there kept~~  
21 ~~available for public use, inspection and examination.~~

22        (Source: P.A. 79-731.)

23        (430 ILCS 115/5) (from Ch. 67 1/2, par. 505)

24        Sec. 5. The Department shall issue seals to any  
25 manufacturer ~~or dealer~~ upon application supported by affidavit

1 or such other evidence which the Department shall deem  
2 necessary to satisfy itself that the seals shall be affixed  
3 only to mobile structures ~~homes~~ or modular dwelling  
4 ~~manufactured housing~~ units which comply with the applicable  
5 safety code.

6 (Source: P.A. 79-731.)

7 (430 ILCS 115/6) (from Ch. 67 1/2, par. 506)

8 Sec. 6. Alteration of mobile structures or modular dwelling  
9 units to which seals have been affixed.

10 (a) A unit of local government may regulate the location of  
11 the modular dwellings and mobile structures and their  
12 foundation, and the installation of the on-site utilities.

13 (b) It is unlawful for any person to make any alteration of  
14 any mobile structure ~~home~~ or modular dwelling ~~manufactured~~  
15 ~~housing~~ unit to which a seal has been affixed if such  
16 alteration causes the mobile structure ~~home~~ or modular dwelling  
17 ~~manufactured housing~~ unit to be in violation of the applicable  
18 safety code.

19 (Source: P.A. 79-731.)

20 (430 ILCS 115/7) (from Ch. 67 1/2, par. 507)

21 Sec. 7. If any other State has a safety code for mobile  
22 structure ~~homes~~ or modular dwellings ~~manufactured housing~~ at  
23 least equal to the codes promulgated by the Department and the  
24 Department determines that such safety standards are being

1 enforced by such other state, the Department shall place such  
2 other state upon a reciprocity list, which list shall be  
3 available to any interested person. Any mobile structure ~~home~~  
4 or modular dwelling ~~manufactured housing unit~~ which bears the  
5 seal of any state which has been placed on the reciprocity  
6 list, or which bears a seal approved by such state as  
7 sufficient evidence of compliance, shall not be required to  
8 affix the seal of this state prescribed by Section 4 of this  
9 Act.

10 (Source: P.A. 79-731.)

11 (430 ILCS 115/9) (from Ch. 67 1/2, par. 509)

12 Sec. 9.

13 (a) The Department is hereby charged with the  
14 administration and enforcement of this Act. The Department is  
15 authorized to: (1) promulgate such reasonable regulations as  
16 may be necessary to administer and enforce this Act, and (2)  
17 adopt any revisions of the Code as may be necessary to protect  
18 the health and safety of the public against dangers inherent in  
19 the use of substandard construction and unsafe plumbing,  
20 electrical and heating systems.

21 The Department may impose an administrative penalty  
22 against any person who violates this Act or any rule adopted  
23 under this Act, or who violates any determination or order of  
24 the Department under this Act. The Department shall establish  
25 violations and penalties by rule, with each day's violation

1 constituting a separate offense. The maximum penalty shall be  
2 \$1,000 per day per violation.

3 The Attorney General may bring an action in the circuit  
4 court to enforce the collection of an administrative penalty  
5 imposed under this subsection (a).

6 All penalties collected under this subsection (a) shall be  
7 deposited into the Facility Licensing Fund. Subject to  
8 appropriation, moneys in the Fund shall be used for the  
9 enforcement of this Act.

10 ~~(b) (Blank). At least 30 days before the adoption or~~  
11 ~~promulgation of any regulations or any revisions of the Code,~~  
12 ~~pursuant to the authority vested in the Department by the~~  
13 ~~preceding Subsection (a) of this Section, the Department shall~~  
14 ~~mail to all state dealers and manufacturers of mobile homes a~~  
15 ~~notice which shall contain:~~

16 ~~(1) A copy of the proposed regulations or revisions~~  
17 ~~thereon, if any;~~

18 ~~(2) A copy of the proposed revision of the Code, if any;~~  
19 ~~and~~

20 ~~(3) The time and place that the Department will consider~~  
21 ~~any objections, comments or suggestions pertaining to the~~  
22 ~~proposed action described in the notice.~~

23 ~~(c) (Blank). After giving the notice required by Subsection~~  
24 ~~(b) of this Section, the Department shall provide a hearing for~~  
25 ~~interested persons to express their views on the proposed~~  
26 ~~action, either orally or in writing as may be prescribed by the~~

1 ~~Department and specified in the notice.~~

2 (d) The Department is authorized to perform necessary  
3 inspection of manufacturing facilities and products to  
4 implement the provisions of this Act. ~~The~~ ~~If the~~ Department may  
5 require and approve ~~appoints~~ non-governmental inspectors or  
6 inspection agencies, provided the Department shall at all times  
7 exercise supervisory control over such inspectors or agencies  
8 to insure effective and uniform enforcement of the codes ~~Code~~  
9 consistent with rules, regulations and interpretations  
10 promulgated by the Department.

11 (e) The issuance of seals may be suspended or revoked from  
12 ~~as to~~ any manufacturer who is convicted under Section 10 of  
13 this Act of manufacturing products that do not conform to the  
14 codes or rules adopted under this Act. Issuance ~~Code and~~  
15 ~~issuance~~ of seals shall not be resumed until such manufacturer  
16 submits proof satisfactory to the Department that the  
17 conditions which caused the violation of the codes ~~Code~~ have  
18 been remedied. Seals may be repossessed if a manufacturer is  
19 found by the Department to have affixed a seal in violation of  
20 the codes or rules adopted ~~Code~~.

21 (f) No person may interfere with, obstruct or hinder an  
22 authorized representative of the Department in the performance  
23 of its duties under this Act.

24 The Department may inspect manufactured homes, require  
25 correction of violations, and perform other duties as stated in  
26 Section 3282.302(b)(13) of the federal Manufactured Home

1 Procedural and Enforcement Regulations and the federal  
2 Manufactured Housing Construction and Safety Standards of 1974  
3 (42 U.S.C. 5413). Manufactured home inspections and  
4 investigations for adoption or enforcement of standards or  
5 execution of other duties shall conform to federal regulations.  
6 (Source: P.A. 78-929.)

7 (430 ILCS 115/10) (from Ch. 67 1/2, par. 510)  
8 Sec. 10. (a) The seal shall remain the property of the  
9 Department, and may not be placed upon a mobile structure ~~home~~  
10 or modular dwelling ~~manufactured housing unit~~ which is in  
11 violation of this Act ~~the applicable safety code~~. Compliance  
12 with this Act ~~the safety code~~ is the responsibility of the a  
13 manufacturer and neither the State nor the Department, shall be  
14 civilly or criminally liable for the issuance of any seal which  
15 is thereafter placed upon a nonconforming mobile structure ~~home~~  
16 or modular dwelling ~~manufactured housing unit~~.

17 (b) Any person who violates this Act, in regards to  
18 violations relating to modular dwellings or mobile structures,  
19 shall, upon conviction by a court, be guilty of a Class B  
20 misdemeanor. Each day of violation constitutes a separate  
21 offense. The State's Attorney of the county in which the  
22 violation occurred or the Attorney General shall bring such  
23 action in the name of the People of the State of Illinois. The  
24 Court may enjoin the rent, sale, offer for sale, or manufacture  
25 of mobile structures ~~homes~~ or modular dwelling ~~manufactured~~

1 ~~housing~~ manufactured in violation of this Act or of the  
2 ~~applicable~~ safety code promulgated thereunder until it has been  
3 corrected to comply with this Act or the minimum standards  
4 contained in the applicable codes ~~safety code~~.

5 (c) Civil and criminal penalties for manufactured homes  
6 shall be as stated:

7 (1) Whoever violates any provision of Section 5409 of  
8 the federal National Manufactured Housing Construction and  
9 Safety Standards Act of 1974, or any regulation or final  
10 order issued thereunder, shall be liable to the Department  
11 in accordance with penalties and conditions as listed in  
12 Section 5410 of the title. Each violation of a provision of  
13 Section 5409 of the title, or any regulation or order  
14 issued thereunder shall constitute a separate violation  
15 with respect to each manufactured home, or with respect to  
16 each failure or refusal to allow or perform an act required  
17 thereby, except that the maximum civil penalty may not  
18 exceed \$1,000,000 for any related series of violations  
19 occurring within one year from the date of the first  
20 violation.

21 (2) An individual or a director, officer, or agent of a  
22 corporation who knowingly and willfully violates Section  
23 5409 of the federal National Manufactured Housing  
24 Construction and Safety Standards Act of 1974 in a manner  
25 which threatens the health or safety of any purchaser shall  
26 be fined \$1,000 or imprisoned not more than one year, or

1       both.

2       (Source: P.A. 79-731.)

3               (430 ILCS 115/11) (from Ch. 67 1/2, par. 511)

4       Sec. 11. The Director, after notice and opportunity for  
5 hearing to an applicant or seal holder, may deny, suspend, or  
6 revoke a seal, or assess civil penalties in conformance with  
7 this Act, in any case in which he or she finds that there has  
8 been a substantial failure to comply with the provisions of  
9 this Act or the standards, rules, and regulations under this  
10 Act.

11       Notice shall be provided by certified mail or by personal  
12 service setting forth the particular reasons for the proposed  
13 action and fixing a date, not less than 15 days from the date  
14 of the mailing or service, within which time the applicant or  
15 seal holder must request in writing a hearing. Failure to serve  
16 upon the Department a request for hearing in writing within the  
17 time provided in the notice shall constitute a waiver of the  
18 person's right to an administrative hearing.

19       The hearing shall be conducted by the Director or by an  
20 individual designated in writing by the Director as an  
21 administrative law judge to conduct the hearing. The Director  
22 or administrative law judge shall give written notice of the  
23 time and place of the hearing, by certified mail or personal  
24 service, to the applicant or seal holder, at least 10 days  
25 prior to the hearing. On the basis of the hearing, or upon

1 default of the applicant or seal holder, the Director or  
2 administrative law judge shall make a determination specifying  
3 his or her findings and conclusions. A copy of the  
4 determination shall be sent by certified mail or served  
5 personally upon the seal holder. The decision of the Director  
6 or administrative law judge shall be final on issues of fact,  
7 and final in all respects unless judicial review is sought as  
8 provided in this Act.

9 The procedure governing hearings authorized by this  
10 Section shall be in accordance with rules adopted by the  
11 Department. A full and complete record shall be kept of all  
12 proceedings, including the notice of hearing, complaint, and  
13 all other documents in the nature of pleadings, written motions  
14 filed in the proceedings, and the report and orders of the  
15 Director and hearing officer.

16 The Department, at its expense, shall provide a court  
17 reporter to take testimony. Technical error in the proceedings  
18 before the Department or hearing officer or their failure to  
19 observe the technical rules of evidence shall not be grounds  
20 for the reversal of any administrative decision unless it  
21 appears to the Court that the error or failure materially  
22 affects the rights of any party and results in substantial  
23 injustice to any party.

24 The Department or administrative law judge, or any parties  
25 in an investigation or hearing before the Department, may  
26 compel the attendance of witnesses and the production of books,

1 papers, records, or memoranda.

2 The Department shall not be required to certify any record  
3 to the Court or file any answer in Court or otherwise appear in  
4 any Court in a judicial review proceeding, unless there is  
5 filed in the Court with the complaint, a receipt from the  
6 Department acknowledging payment of the costs of furnishing and  
7 certifying the record. The cost shall be paid by the party  
8 requesting a copy of the record. Failure on the part of the  
9 person requesting a copy of the record to pay the cost shall be  
10 grounds for dismissal of the action.

11 ~~The Department, at its expense, shall provide a stenographer to~~  
12 ~~take down the testimony and preserve a record of all~~  
13 ~~proceedings at the hearing of any case involving refusal to~~  
14 ~~issue or renew, or the suspension or revocation of a seal. The~~  
15 ~~notice of hearing, complaint and all other documents in the~~  
16 ~~nature of pleadings and written motions filed in the~~  
17 ~~proceedings, the transcript of testimony, the report and orders~~  
18 ~~of the Department shall be the record of such proceedings. The~~  
19 ~~Department shall furnish a transcript of such record to any~~  
20 ~~person or persons interested in such hearing upon payment~~  
21 ~~therefor of 75 cents per page for each original transcript and~~  
22 ~~25 cents per page for each carbon copy thereof ordered with the~~  
23 ~~original; provided, that the charge for any part of such~~  
24 ~~transcript ordered and paid for previous to the writing of the~~  
25 ~~original record thereof shall be 25 cents per page.~~

26 ~~In any case involving the refusal to issue or renew or the~~

1 ~~suspension or revocation of a seal, a copy of the Department's~~  
2 ~~report shall be served upon the respondent, either personally~~  
3 ~~or by registered or certified mail as provided in this Act, for~~  
4 ~~the service of the notice of hearing. Within 20 days after such~~  
5 ~~service, the respondent may present to the Department a motion~~  
6 ~~in writing for a rehearing, which written motion shall specify~~  
7 ~~the particular grounds therefor. If no motion for rehearing is~~  
8 ~~filed, then upon the expiration of the time specified for~~  
9 ~~filing such a motion, or if a motion for rehearing is denied,~~  
10 ~~then upon such denial, the Director may enter an order in~~  
11 ~~accordance with recommendations of the report. If the~~  
12 ~~respondent orders and pays for a transcript of the record~~  
13 ~~within the time for filing a motion for rehearing, the 20 day~~  
14 ~~period within which such a motion may be filed shall commence~~  
15 ~~upon the delivery of the transcript to the respondent.~~

16 ~~Any circuit court may upon application of the Director of~~  
17 ~~or the applicant or licensee against whom proceedings under~~  
18 ~~this section of this Act are pending, enter an order requiring~~  
19 ~~the attendance of witnesses and their testimony, and the~~  
20 ~~production of documents, papers, files, books and records in~~  
21 ~~connection with any hearing in any proceedings for contempt.~~

22 (Source: P.A. 78-929.)

23 (430 ILCS 115/16 new)

24 Sec. 16. Illinois Administrative Procedure Act. The  
25 provisions of the Illinois Administrative Procedure Act are

1 hereby expressly adopted and shall apply to all administrative  
2 rules and procedures of the Department of Public Health under  
3 this Act. The Department of Public Health is authorized to use  
4 peremptory rulemaking under Section 5-50 of the Illinois  
5 Administrative Procedure Act. The Department will make any rule  
6 adopted hereunder available electronically to the public and  
7 shall not be required to furnish copies in any other format.

8 (430 ILCS 115/17 new)

9 Sec. 17. Facility Licensing Fund. All fees and penalties  
10 collected under this Act shall be deposited into the Facility  
11 Licensing Fund. Subject to appropriation, all money deposited  
12 into the Facility Licensing Fund under this Act shall be  
13 available to the Department for administration of this Act.

14 (430 ILCS 115/15 rep.)

15 Section 10. The Illinois Manufactured Housing and Mobile  
16 Home Safety Act is amended by repealing Section 15.

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law.

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9	430 ILCS 115/7	from Ch. 67 1/2, par. 507
10	430 ILCS 115/9	from Ch. 67 1/2, par. 509
11	430 ILCS 115/10	from Ch. 67 1/2, par. 510
12	430 ILCS 115/11	from Ch. 67 1/2, par. 511
13	430 ILCS 115/16 new	
14	430 ILCS 115/17 new	
15	430 ILCS 115/15 rep.	